Executive Committee Meeting April 21, 2011

Meeting Materials:

Meeting Agenda Meeting Minutes



Middle Rio Grande Endangered Species Collaborative Program EXECUTIVE COMMITTEE MEETING AGENDA April 21, 2011 9:00 am – 1:00 pm

LOCATION: Bureau of Reclamation, 555 Broadway Blvd NE, Albuquerque, NM

1.	INTRODUCTIONS AND REVIEW OF PROPOSED AGENDA	5 minutes		
2.	APPROVAL OF MARCH 29, 2011 MEETING SUMMARY* and FEBRUARY-MARCH DIRECTIVES, RECOMMENDATIONS and ACTION ITEMS*	20 minutes		
3.	EXECUTIVE COMMITTEE DECISION A. Review and Approve draft 2011 Work Plans*	20 minutes		
4.	REPORT OUT ON OCTOBER 2010 CHANGE IN WATER OPS (MRGCD, Reclamation and ABCWUA) (M. Hamman/L. Towne)	30 minutes		
5.	USFWS and BIOLOGY UPDATE	20 minutes		
6.	USACE UPDATE	20 minutes		
7.	RECLAMATION and HYDROLOGY UPDATE (M. Hamman/L. Towne)	30 minutes		
8.	COORDINATION COMMITTEE/PROGRAM MANAGER REPORT (B. Wyman, Y. McKenna) A. Adaptive Management Plan Development Update B. LTP Update C. Annual Report Update D. Workgroup Updates E. Contract Update (J. Lewis)	20 minutes		
9.	OTHER BUSINESS/ANNOUNCEMENTS	10 minutes		
10.	PUBLIC COMMENT	10 minutes		
11. NEXT SCHEDULED EC MEETING – May 19, 2011 (Day 2 of Adaptive Management				

BREAK

12. CLOSED SESSION - EC MEMBERS ONLY

Workshop from 8:30 am to 4:00 pm @ Reclamation)

A. Role of contractors in Workgroups

*Denotes read ahead material provided for this topic

Members

ABCWUA	APA	CABQ
ISC	Isleta Pueblo	NMAGO
NMDA	NMGF	MRGCD
Sandia Pueblo	Santa Ana Pueblo	Santo Domingo Tribe
UNM	USACE	USFWS
		Reclamation

Middle Rio Grande Endangered Species Collaborative Program
Executive Committee Meeting
April 21st, 2011 9:00 am to 1:00 pm
Bureau of Reclamation, Albuquerque Area Office
555 Broadway Blvd. NE
Albuquerque, NM 87102

Decisions

- With a quorum present, the March 29th meeting summary was approved for finalization with 5 changes:
 - On page 12, under the USFWS update the 1st sentence will be changed to read "For the minnow, Lori Robertson reported updates on Big Bend, population monitoring, and reintroduction work updates. Jason Remshardt reported on the last Propagation and Genetics meeting."
 - o 2. On page 12, the 2nd bullet under the USFWS Update will be changed to read "Big Bend monitoring sites *will be* expanded to cover *more of* the entire reintroduction area *in June of* this year."
 - o 3. On page 12, the last sentence on the 3rd bullet under the USFWS Update will be removed.
 - O 4. On page 13, under the San Acacia Diversion Dam Fish Passage Peer Review Final Report topic number (5) in the 2nd bullet will read "evaluation of field prototype fish passage inlet to determine its use by and conservation of minnow and other species."
 - o 5. The last bullet on page 13 will be changed to read "The panel's findings neither accepted nor rejected the *potential contribution of* fish passage *to sustain conservation of* the minnow in the MRG."
- With quorum present, the 2011 Work Plans were approved for finalization.

Directives

- The EC directed that the PVA/PHVA reschedule the joint meeting regardless of modeler attendance.
- The EC requested that the CC develop a process to document the justifications for which peer review recommendations they suggest pursuing and explain why other peer review recommendations were not preferred.

Announcements

- The USACE BA is still undergoing in-house review and will be posted to the website and available to the tribes on May 2nd.
- Mike Connor will give his field hearing to the U.S. Senate Committee on Natural Resources on Wednesday, April 27th, 2011 at the Santa Fe Convention Center at 1:30 PM.

Actions

- Michelle Shaughnessy will find out if the U.S. Forest Service has included watershed planning in the documents for their BA.
- Yvette McKenna and Mike Hamman will talk to ESSA and Headwaters about facilitation issues, their responsibilities, and potential remedies. They will also request that Dave Marmorek be available for the upcoming Adaptive Management Workshop.
- MRGCD will discuss with their contractor the adaptive management attendees' concerns.
- Wally Murphy will draft the descriptions of a Recovery Implementation Program (RIP) and a Recovery Program, including the processes, elements, documents and agreements required to formalize either program. (*Ongoing from 02/16/11*)
- The consultation team will work with Service representatives to draft a 1 page summary document describing how the Long-term Plan, adaptive management plan, annual work plans, PVA/PHVA models, Biological Assessments and Biological Opinion are envisioned to interface/integrate. (Ongoing from 02/16/11)

<u>Next EC Meeting:</u> May 19, 2011 8:30 AM to 12:00 PM (Day 2 of Adaptive Management Workshop)

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April 21st, 2011 Meeting Summary

Introductions and Agenda Approval: Brent Rhees brought the meeting to order and introductions were made around the table. Michelle Shaughnessy was welcomed as the U.S. Fish and Wildlife Service's (the Service) new Executive Committee (EC) member. The agenda was reviewed and approved with no changes.

Approval of the March 29th, 2011 Meeting Summary: With a quorum present, the March 29th meeting summary was approved for finalization with 5 changes:

- 1. On page 12, under the USFWS update the 1st sentence will be changed to read "For the minnow, Lori Robertson reported updates on Big Bend, population monitoring, and reintroduction work updates. Jason Remshardt reported on the last Propagation and Genetics meeting."
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- 6. The last bullet on page 13 will be changed to read "The panel's finding neither accepted nor rejected the *potential contribution of* fish passage *to sustain conservation of* the minnow in the MRG."
- It was commented that note taking for the March 29th EC meeting was exceptional especially given the complexity of the modeling presentations.

Review of the February and March Action Items: All February and March actions were completed with exception of two that will be carried over to April. Attendees were updated that the 30-day federal register notice for the Interstate Stream Commission (ISC) Los Lunas Silvery Minnow Refugium spawning permit amendment will close tomorrow and the Service will be getting the amendment out as soon as possible. The Bureau of Reclamation (Reclamation) will include clarification on what more is needed in the non-federal action list to facilitate non-federal coverage in the draft Biological Assessment (BA).

EC Decisions:

• Review and approve draft 2011 Work Plans: The Work Plans document the responsibilities that the work groups will be tasked with in 2011. The Coordination Committee (CC), Program Management Team (PMT), and work groups have worked together to ensure that all the work group members are listed correctly and that all contractors are identified. With quorum present, the 2011 Work Plans were approved for finalization.

Report Out on October 2010 Changes in Water Ops:

- In September of 2010 the Middle Rio Grande Conservancy District (MRGCD) approached Reclamation to look at diverting the majority of their demands at Angostura instead of at Isleta in order to get them through the last part of the irrigation season. Since this option would have an impact on the Albuquerque/Bernalillo County Water Utility Authority's (ABCWUA) ability to continue diverting for the Drinking Water Treatment Program at Alameda, Reclamation worked with MRGCD and ABCWUA to see what could be done to meet multiple purposes while still maintaining commitment to the 2003 Biological Opinion (BiOp) requirement of 100 cfs flow target at Central, and preserving storage at El Vado. The agencies agreed to "split" the flow requirements at Alameda. Meeting attendees were given a handout that documented the basics of the agreement.
- This operation was a "test" to determine how the diversion worked for all parties. From the operation it was learned that having an accurate indication of flows is important when trying to conserve water in this reach. Because the Alameda gage is poor it was difficult to regulate flows "tightly resulting in exceedance of the flow requirement at Central. It was also observed that it is very important to learn about the need for a change in operations as far in advance as possible in order to best prepare. With better communication and better gage settings the operations could have been strengthened. Discussions are already taking place on what might occur this year. Over time, it has been observed that when the MRGCD can operate normally then supplemental water releases do not have to be made. It has been recognized in the past that there is a benefit when the MRGCD is able to meet their demands and the MRGCD is looking at ways to better conserve their supplies.
- The benefits of the change in operations were that the MRGCD was able to meet their demands, ABCWUA continued to divert, and flow requirements were met. In addition to meeting the flow requirements there was agreement from the three agencies to let water flow through Isleta in an attempt to sustain the river in that reach. Reclamation released 7000 -8000 acre-feet in leased supplemental water and MRGCD released about 4000 acre-feet in supplemental water. Though Reclamation did release more water than expected, the tradeoff was maintaining the flows through Isleta and San Acacia.
- It was asked what can be done to improve the Alameda gage. It was explained that the rating curves for Central Avenue gage have 100 years of record where as Alameda has only 3 or 4 years. The rating curves for Paseo, Alameda, and Isleta gages are recalibrated monthly and it will be a matter of time before there is enough data for Alameda. It was commented that additional, on-the-ground measurements would be helpful in addressing issues at the Alameda gage and additional resources may be needed to do spot checks on the gages. It was not known if only more frequency is needed or if a better process for gathering data or recalibration is needed. A

- recommendation was to move the gage 2 miles upstream to get away from the effects that the dam has on that area.
- There is not a good handle on what the seepage losses were. Seepage has been estimated at 50 cfs from Alameda to Central and estimations of 10 cfs per mile are not considered unreasonable.
- John Stomp discussed the ABCWUA diversion in further detail. The ABCWUA has tried to
 address concerns about how water is being diverted and has tried to have water taken out more
 evenly throughout the day. For this operation only 30 cfs was diverted so there was not much of
 an effect.
- It was commented that the change in operations demonstrated good cooperation between the three agencies and that this operation will be a great water management tool to use for poor water years in the future.

USFWS and Biology Update: Lori Robertson reported updates on the hydrologic year and Incidental Take (IT), as well as highlights on the Reintroduction/Cochiti reach biologist monthly work.

- The IT letter was issued on April 12th. Dry year flow targets are in effect for this season. Take, in the form of observed mortality, is limited to 9,182 silvery minnow over 30mm. Take numbers from previous years have been varied. It was explained that the original BiOp had a flat take number but it was realized that the propensity of the fish fluctuates quickly and now a letter is issued ever year with the IT. The observed take has been low in recent years and last year was around 95 or 96 fish.
- Mark Brennan has met with the Santo Domingo Tribe and the Pueblo of San Felipe and has been working with the USACE tribal liaison to begin communications with Cochiti Pueblo. Mark continues to work on his analysis of habitat parameters in Cochiti Reach with available non-tribal data. Mark is also working on interpretation of USGS Cochiti Reach water quality data relative to RGSM in that reach. Mark participated in the last 2 day adaptive management workshop.

USACE Update: Everything is in place to execute the deviation however there is not enough water at this time. Model runs indicate that the hydrograph may be able to be reshaped.

• It had previously been announced that USACE's BA would be available today however the BA is still undergoing in-house review and will be posted to the website and available to the tribes and pueblos on May 2nd. Apologies were made for the delay.

Reclamation and Hydrology Update:

- Reclamation Update: Reclamation has received their full 2011 budget less 2 percent and will be working hard to obligate funds. The President has announced his budget for 2012 and Reclamation received the amount requested for the Program.
- *Hydrology Update:* Last week Reclamation, in coordination with the USACE, held a public meeting on the Middle Rio Grande Annual Operating Plan. Given the current, observed status of the basin the 70% exceedance forecast is being used to predict runoff. Reclamation has stored over 2,000 acre-feet in El Vado for P&P needs. Huge increases in the main stem are not expected for this year and most of the increases are expected out of Chama. Reclamation hopes to store around 26,000 acre-feet for emergency drought and MRGCD wants to store 18,000 acre-feet. If enough water is available Reclamation will store an additional 12,000 to 20,000 acre-feet for

emergency drought. Details from the projections can be found along with the presentation from the Annual Operating Plan meeting on Reclamation's website. Given the current runoff, it's projected that all the storage in El Vado will be used this year. Supplemental water releases of 6,000 acre-feet are being made. The current snow pack numbers: the Rio Chama Basin 72% of average of high snow; upper Rio Grande 81%; lower basin Jemez 4%; San Juan 21%. The Otowi forecast is 2,095 acre-feet runoff. Colorado will be delivering very little water. It's projected that 35,000 to 80,000 acre-feet of supplemental water will be needed.

- O It was mentioned that the United States Department of Agriculture (USDA) is preparing to develop management plans for the national forests. In relation to the watershed issue and snowpack delivery it was asked if information about low water and flows is being integrated into this national effort.
 - It was shared that the National Forest Service is in a large scale consultation with the Service and has just submitted a BA. Michelle Shaughnessy will find out if the U.S. Forest Service has included watershed planning in the documents for their BA.
- *BA Update:* Mike Hamman gave an update on Reclamation's BA and reiterated the approach that Reclamation is taking for the BA and consultation strategy.
 - The 2003 BiOp is unsustainable from both a hydrological and financial stand point. Reclamation's approach is to take an action by action strategy that will include San Juan Chama project water, Heron water operations, Middle Rio Grande and river maintenance. As conservation measures, the BA will be front loaded with the Reclamation supplemental water program and pumping from the Low Flow Conveyance Channel to manage drying of the lower reaches below San Acacia. The baseline will be the 2003 BiOp flow requirements. The approach to the BA was expanded to utilize the Program as a federal nexus. Reclamation will be working with the Service to develop a "pathway to success" in which the federal agencies can completely describe the process utilizing the Program as the umbrella. Reclamation is also looking at including other BOs such as the City of Albuquerque Drinking Water Project and the Santa Fe Buckman Direct Diversion Project as part of the environmental baseline and effects analysis. Broad nonfederal coverage will also be included in the BA. Since Reclamation can only include what they have direct control over, those that will be participating in the process will go through a stage of negotiation to achieve the ultimate coverage for clearly identified actions within the compliance umbrella of the Program. Adaptive management is a tool that can be utilized to adjust the LTP as new science and operating plans become available and to adjust to the hydrologic and biologic conditions each year. The whole approach is to first avoid jeopardy and then work towards recovery within the confines of the Program. Water management is key to this strategy; need flexibility in how we operate to work with available resources.
 - o Reclamation's schedule is to have the BA submitted to the Service as soon as practical but no later than October 2011. Government to government consultations with the tribal partners in the middle valley will begin in May 2011. A draft BA will be released to the Program for a 30 day review in August. During this review period the document can be adjusted based on any comments associated with non-federal actions.

• It was asked if anyone knew of any Environmental Protection Agency (EPA) consultations related to water quality standards as it should be ensured that separate agencies are not diverging when it comes to water quality (for ex. the Program saying that sediment rich water is needed and the EPA saying that sediment starved water is needed). The Service has some consultations that they are working on for EPA issuance, including a consultation to improve conditions near the outfall of the North Diversion Channel. Anytime the Service does a consultation they look at it as an integrated program. Conversations with the EPA and the Service regarding EPA involvement with the Program are currently on-going.

Coordination Committee/Program Manager Report: Please refer to the CC/PM report read ahead for details and additional information.

- Adaptive Management: An adaptive management planning workshop is scheduled for May 18th and 19th. The workshop was scheduled to coincide with the May EC meeting so that EC members can attend.
- Workgroup Updates:
 - O San Acacia Diversion Dam (SADD) Fish Passage Peer Review: At the last EC meeting the peer review panelists provided a prioritized list of their recommendations with the priority activity being to synthesize results from the literature on the Rio Grande Silvery Minnow (silvery minnow).
 - O Coordination Committee: The SADD peer reviewer recommendations were discussed at length at the last CC meeting. The CC has requested that the workgroups review the recommendations from the panelists within the context of the LTP/proposed future activities and provide a summary report back to the CC. It's anticipated that the workgroups will need several months to complete this task. In order to allocate the funding that was set aside for fish passage studies this fiscal year the CC is recommending that the Science Workgroup (ScW) write a SOW to determine the impact that augmentation has had over time on the genetic variability in silvery minnows. The study would use existing data to do a comparative on the genetics before stocking and after and would not require new data collection though it could. Jeanne Dye is drafting an email to request the genetics data from Megan Osborne and Tom Turner.
 - Frustration was expressed that the workgroups often struggle with peer reviews because there is not a process for determining which recommendations should be implemented and what weight should be given to the peer review. The EC requested that the CC develop a process to document the justifications for which peer review recommendations they suggest pursuing and explain why other peer review recommendations were not preferred.
 - Due to the unavailability of the PVA modelers and the PVA Co-Chairs the CC requested that the joint PHVA/PVA workgroup meeting be postponed.

- The CC will be having a working meeting from 10:00 to 4:00 on May 4th to focus on the LTP.
- O Program Management Team: The PMT is reviewing the draft Annual Reports for 2008 and 2009; they should be available to the CC by the end of April. There are two new note takers from Gen Quest, Carl Boaz and Charmaine Clair who will be supporting some of the technical work groups. Christine Sanchez, Tetra Tech, is the main note taker for the CC and EC.
- o *Monitoring Plan Team (MPT):* The MPT will not be meeting regularly as they will be on the river 2 to 3 days a week through the first week of June. This is the 2nd year of the low intensity monitoring. EC members were encouraged to support the efforts that their agency members are putting into the monitoring.
- o *Science Workgroup:* The ScW is proposing that the CC view a presentation by Joel Lusk (USFWS) on the Rio Grande Silvery Minnow Fish Health Study results. This will be added to the June CC agenda.
- Species Water Management (SWM): The SWM workgroup is still in need of a non-federal Co-Chair. They are also discussing having the Groundwater/Surface Water Interaction project done in-house at Reclamation.
- o San Acacia Reach ad hoc Workgroup (SAR): the SAR work will be hosting a float trip on April 29th.
- Population Viability Analysis/Hydrology Workgroup (PVA): the PVA will be drafting a letter to the PHVA work group detailing their needs from URGWOM. Their next meeting will be a full day session on May 24th.
- o *Population Habitat Viability Assessment/Hydrology ad hoc Workgroup (PHVA):* the URGWOM tech team is working on model calibration in support of the BA process.
- o *Public Information and Outreach Workgroup (PIO):* The PIO is beginning to plan a large open house event that is planned to have one day of technical scientific sessions and a second day of family oriented activities on October 7th and 8th, 2011.
- o *Habitat Restoration Workgroup (HRW):* The HRW had a presentation on the Salt Cedar Beetles. It's recommended that the EC view this presentation as this has become a big issue in the valley. Mark Stone also presented on work he has done with a 2-D hydrologic model. It's believed that his knowledge could be an asset to the Program in habitat monitoring. The HRW is also still in need of a federal Co-Chair.
- Concern was voiced that the results from the first year of the low intensity monitoring have not yet been finalized. It was one opinion that the MPT efforts give important information and that in order to ensure a good amount of quality data the efforts should be bolstered with additional contracted support. There was agreement from an MPT member that the MPT could benefit from additional support.

- o There was concern that PVA/PHVA joint meeting has not been rescheduled as the EC had stressed that the meeting was critical not just for integration of the models but to increase interaction between the two groups. The EC directed that the PVA/PHVA reschedule the joint meeting regardless of modeler attendance.
- Contract Update: Jericho Lewis gave a contract update.
 - The MPT is working on developing a SOW for the Food Availability Study that was formed from the high intensity monitoring; the study will be funded by USACE through an IA.
 - The RGSM Population Monitoring, Spawning Periodicity, and Population Estimation studies are all ongoing.
 - o Jericho is working on funding the captive propagation facilities, such as Dexter, and will be meeting with ISC to discuss their grant.
 - o The Sanctuary will need to be discussed in detail because of problems with the pumps before we could even assess if there is a seepage issue; engineers from the Service have been assisting. Reclamation's Technical Services Division is working on some specifications to address the pump, sediment traps, and sump issues.
 - o The Fish Community Sampling Methodology and Gear Evaluation contract option year is ongoing and was fully funded.
 - o The SOW for the Habitat Restoration Construction funding opportunity announcement has not been finalized as Jericho is waiting for the evaluation criteria and for description of how the net depletions calculations will be addressed. Jericho still plans to put out the announcement this year but funding may not happen this year.
 - O A SOO (statement of objectives) is in the works for a competitive contract to replace the Service's grant for the RAMAS model development that expired in October 2011. The contract will be built on the basis of deliverables and will be compensative on a product basis. The contract will be competitive and not sole sourced to Dr. Miller which could mean that the issue of transferring what Dr. Miller has accomplished may need to be addressed. It was explained that the contract has always been Program funded through an IA with the Service. The contract will continue to be funded by the Program but will now be handled by Reclamation per the EC's direction during the PVA refresher meeting two years ago.
- Collaborative Program Expenditure Reports 2^{nd} Q 2011: The Expenditure Reports have been provided as a read ahead. There were no questions or comments.
 - o It was asked what the timeline is for reversion of funds. It was explained if there is no activity with obligated funds for 3 years then it will be considered for de-obligation. As the budget gets tighter there will be more of a need to review project activity.

Other Business/Announcements: Mike Connor will give his field hearing to the U.S. Senate Committee on Natural Resources on Wednesday, April 27th, 2011 at the Santa Fe Convention Center at 1:30 PM.

• It was briefly discussed that there are no current plans for closure of the Bosque or Open Space. If there is partial closure then only contractors and people on permit are allowed into the Bosque off of the levee roads. When fire conditions are extreme there may be full closure of the Bosque around the 4th of July and only critical activity is allowed in the Bosque.

Public Comment: There was no public comment.

Non EC members who participated in the recent Adaptive Management session were invited to join the EC in closed session.

Next EC Meeting: May 19, 2011 8:30 AM to 12:00 PM (Day 2 of Adaptive Management Workshop)

Executive Committee Meeting Attendees April 21st, 2011, 9:00 am to 1:00 pm

Attendees:

Representative Organization Seat

Brent Rhees (P) Dept. of the Interior Federal co-chair, non-

Grace Haggerty (A) NM Interstate Stream Commission ISC

Mike Hamman (P) Bureau of Reclamation USBOR

Brian Gleadle (P) NM Department of Game and Fish NMDGF

Janet Jarratt (P) Assessment Payers Association APA Of the MRGCD

Michelle Shaughnessy (P) U.S. Fish and Wildlife Service USFWS

Steve Farris (P) NM Attorney General's Office NMAGO

Subhas Shah (P) Middle Rio Grande Conservancy District MRGCD

Matt Schmader (P) City of Albuquerque COA

Frank Chavez (P) Pueblo of Sandia Sandia

Kris Schafer (A) U.S. Army Corps of Engineers USACE

Alan Hatch (A) Pueblo of Santa Ana Santa Ana

John Stomp (P) Albuquerque/Bernalillo County Water Utility Authority ABCWUA

Ann Watson (P) Santo Domingo Tribe Santo Domingo

Others

Yvette McKenna – PM Bureau of Reclamation

Rick Billings Albuquerque/Bernalillo County Water Utility Authority

Terina Perez Bureau of Reclamation

Leann Towne Bureau of Reclamation

Jim Wilber Bureau of Reclamation

William DeRagon U.S. Army Corps of Engineers

Lori Robertson U.S. Fish and Wildlife Service

Jen Bachus U.S. Fish and Wildlife Service

Janet Bair U.S. Fish and Wildlife Service

Christopher Shaw NM Interstate Stream Commission

Brooke Wyman MRGCD

Ann Moore NMAGO
Monika Mann U.S. Army Corps of Engineers
Jerry Ginsburg TVNA
Stacey Kopitsch U.S. Fish and Wildlife Service
Joe Jojola BIA
Jericho Lewis Bureau of Reclamation
Rick Carpenter City of Santa Fe/BDD
David Gensler MRGCD
Ali Saenz Reclamation – Administrative Assistant
Christine Sanchez Tetra Tech